

FEDERAL REGISTER

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Washington, Thursday, January 27, 1949

TITLE 3—THE PRESIDENT

PROCLAMATION 2824

NATIONAL FREEDOM DAY

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS, near the end of the tragic conflict between the Northern and Southern States, the Congress adopted a joint resolution proposing an amendment to the Constitution which would outlaw slavery in the United States and in every place subject to its jurisdiction; and

WHEREAS the resolution was signed by President Lincoln on February 1, 1865, and thereafter led to the adoption of the Thirteenth Amendment to the Constitution; and

WHEREAS that Amendment is a corner stone in the foundation of our American traditions, and the signing of the resolution is a landmark in the Nation's effort to fulfill the principles of freedom and justice proclaimed in the first ten amendments to the Constitution; and

WHEREAS, by a joint resolution approved June 30, 1948 (62 Stat. 1150) the Congress authorized the President to proclaim the first day of February of each year as National Freedom Day in commemoration of the signing of the resolution of February 1, 1865; and

WHEREAS the Government and people of the United States wholeheartedly support the Universal Declaration of Human Rights approved by the General Assembly of the United Nations on December 10, 1948, which declares that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world";

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate February 1, 1949, and each succeeding February 1, as National Freedom Day; and I call upon the people of the United States to pause on that day in solemn contemplation of the glorious blessings of freedom which we humbly and thankfully enjoy.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of January in the year of our Lord nineteen hundred and [SEAL] forty-nine, and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 49-652; Filed, Jan. 25, 1949;
3:20 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State
[Foreign Service Reg. E-64]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

JANUARY 19, 1949.

Effective as of the beginning of the first pay period after January 22, 1949, § 325.11, *Designation of differential posts*, is amended as follows:

1. Paragraph (a) is amended by the addition of the following posts:

Nanking, China.
Peking, China.
Shanghai, China.
Tientsin, China.
Kuala Lumpur, Malaya.

2. Paragraph (b) is amended by the addition of the following post:
Tsingtao, China.

3. Paragraph (d) is amended by the addition of the following posts:
Austria, all posts.

4. Paragraph (b) is amended by the deletion of the following post:
Shanghai, China.

5. Paragraph (c) is amended by the deletion of the following post:
Nanking, China.

6. Paragraph (d) is amended by the deletion of the following posts:
Kuala Lumpur, Malaya.
Tientsin, China.

(Continued on next page)

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Tsingtao, China.
Vienna, Austria.
Wels, Austria.

(Sec. 207, Pub. Law 491, 80th Cong., as amended by sec. 104, Pub. Law 862, 80th Cong., Part 1, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453)

For the Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 49-631; Filed, Jan. 26, 1949; 8:50 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs [Amdt. 1]

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

SUBPART—DRIED FRUIT EXPORT PROGRAM (FISCAL YEAR 1949)

Section 518.2 (e) is hereby amended by changing the date of January 31, 1949,

before which sales must be made, to March 31, 1949.

Dated this 19th day of January 1949.

[SEAL] RALPH S. TRIGO,
Authorized Representative
of the Secretary of Agriculture.

[F. R. Doc. 49-633; Filed, Jan. 26, 1949; 8:51 a. m.]

Subchapter C—Loans, Purchases and Other Operations

[1948 C. C. O. Range Grass Seed Bulletin 1]

PART 659—SEEDS

SUBPART—1948 RANGE GRASS SEED PRICE SUPPORT PROGRAM

This bulletin states the requirements with respect to the 1948 Range Grass Seed Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Purchase agreements will be available on the following seeds produced in 1948 in accordance with this bulletin: Sand, little and big bluestem; buffalo grass; blue and side-oats grama; switchgrass; sand and weeping lovegrass; yellow indiangrass seeds; and certain natural component mixtures of the foregoing varieties (collectively referred to hereinafter as range grass seed)

Sec.	Administration.
659.51	Availability of purchase agreements.
659.52	Eligible producer.
659.53	Eligible range grass seed.
659.54	Eligible storage.
659.55	Approved forms.
659.56	Determination of quantity.
659.57	Determination of quality.
659.58	Liens.
659.59	Service fees.
659.60	Set-offs.
659.61	Transfer of producer's equity.
659.62	Delivery.
659.63	Storage and handling charges.
659.64	PMA commodity offices.
659.65	Schedule of specifications and rates.
659.66	

AUTHORITY: §§ 659.51 to 659.66 issued under sec. 1 (d), 62 Stat. 1248; sec. 5 (a), 62 Stat. 1072.

§ 659.51 *Administration.* The program will be administered in the field by PMA through State PMA committees, county agricultural conservation committees (hereinafter referred to as county committees) and PMA commodity offices. The program will be under the general supervision and direction of the Manager, CCC.

Forms will be distributed through the offices of State and county committees. County committees will determine or cause to be determined the quantity and grade of the range grass seed, and the value of the seed delivered under the program. All purchase documents will be completed and approved by the county committee, which will retain copies of all documents. The county committee may designate in writing certain employees of the county agricultural conservation association to approve such forms on behalf of the committee.

§ 659.52 *Availability of purchase agreements*—(a) *Area*. Purchase agreements shall be available on eligible range grass seed in all areas.

(b) *Time*. Purchase agreements shall be available from time of harvest through February 28, 1949, and the applicable documents must be signed by the producer and delivered or mailed to the county committee not later than such date.

(c) *Source*. Purchase agreements shall be made through the offices of county committees.

§ 659.53 *Eligible producer*. An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing eligible range grass seed in 1948 as landowner, landlord, tenant, or sharecropper.

§ 659.54 *Eligible range grass seed*. Eligible range grass seed shall be range grass seed harvested in the continental United States in 1948, the beneficial interest in which is in the producer and always has been in him, or in him and a former producer whom he succeeded before the range grass seed was harvested. The seed must be cleaned and bagged, fumigated if necessary, and tagged in accordance with the Federal Seed Act for interstate shipments when CCC orders government-owned seed loaded out for interstate shipment. It must meet the following additional requirements:

(a) *Specifications*. The seed must, on the basis of official purity and germination tests, be equal to or better in every respect than the minimum specifications for the particular kind of seed as shown in schedule of specifications and rates, § 659.66.

(b) *Noxious weeds*. The seed must not contain noxious weed seeds in excess of the number permitted for sale as planting seed by the State seed law and rules and regulations pursuant thereto of the State in which the seed is produced or of the State where the seed is stored.

(c) *Packaging*. The seed shall be packaged in new bags of approved quality as described below, of 30 or 50 pounds net or 100 or 150 pounds net.

(1) Little, big and sand bluestem, yellow indiagrass, buffalo grass, and blue and side-oats grama;

Type	Net capacity (pounds)
(1) 36 x 54 12-ounce or heavier jute or burlap	30 or 50
(ii) Tri-Sax or Osnaburg (double seam)	
36-inch 7.5 oz. or heavier	30 or 50
40-inch 8.25 oz. or heavier	30 or 50

(2) Weeping and sand lovegrass and switchgrass:

Type	Net capacity (pounds)
(i) Tri-Sax (double seam)	
36-inch 7.5 oz. or heavier	100
40-inch 8.25 oz. or heavier	100
(ii) Osnaburg (seamless or double seam)	
30-inch 7-ounce or heavier	100
(iii) Seamless cotton: 16-ounce	150

§ 659.55 *Eligible storage*. Eligible storage for range grass seed shall meet the following requirements:

Under the purchase agreement program, eligible warehouse storage shall

consist of storage made available by warehousemen, seed dealers, cooperative associations, and others having adequate facilities for handling and storing seed for which a Seed Cleaning and Storage Agreement has been entered into with CCC (warehousemen, seed dealers, cooperative associations and others desiring approval for their facilities should secure recommendation for approval from the county committee who will submit the recommendation to the State committee for transmittal to the PMA commodity office serving the area in which the warehouse is located). A list of approved warehouses will be furnished State PMA offices and county committees and information relating to such warehouses may be obtained from such offices.

§ 659.56 *Approved forms*. The approved forms consist of the purchase documents which, together with the provisions of this bulletin, govern the rights and responsibilities of the producer. Any fraudulent representation made by a producer in obtaining a purchase agreement or in executing any of the purchase documents will render him subject to criminal prosecution. Purchase documents executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

(a) *Purchase agreement documents*. The purchase agreement documents shall consist of the purchase agreement (Commodity Purchase 1) and Purchase Agreement Settlement (Commodity Purchase 4) signed by the producer and approved by the county committee, negotiable warehouse receipts, and such other forms as may be prescribed by CCC.

(b) *Warehouse receipts*. Range grass seed in eligible warehouse storage delivered under the purchase agreement program must be represented by warehouse receipts which satisfy the following requirements:

(1) Warehouse receipts must be issued in the name of the producer, must be properly endorsed in blank so as to vest title in the holder, and must be issued by an approved warehouse.

(2) Warehouse receipts shall carry an endorsement in substantially the following form:

Warehouse charges (except receiving charges) through April 30, 1949, on the range grass seed represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from CCC or any subsequent holder of the warehouse receipt.

(3) Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show the net weight and represent a particular lot of seed, the quality of which is evidenced by attached official purity and germination test certificates.

Separate warehouse receipts for each lot of seed must set forth in the written or printed terms the kind or variety of seed, the lot identity or number, the number of bags, the net weight, and such other information as is required to determine the quantity of seed.

§ 659.57 *Determination of quantity*. All determinations of the quantity of range grass seed under this program shall be made on the basis of the net weight of eligible seed, as specified on the warehouse receipt.

§ 659.58 *Determination of quality*. The county committee will determine the quality of the seed on the basis of official purity and germination tests of a representative sample. An "official test" shall be an analysis made by a Federal or State Seed Testing Laboratory where such facilities are available, or, in the absence of such facilities, a seed testing laboratory approved by the State committee. Not more than 5 calendar months shall have elapsed since the last day of the month in which the germination test was completed. A representative sample for determination of quality shall be a sample taken by a licensed State inspector, or where such services are not provided, the county agricultural conservation committee shall arrange for the securing of a representative sample which shall consist of equal portions taken from evenly distributed parts of the lot of bagged seed to be sampled. In quantities of 5 bags or less, each bag shall be sampled; in quantities of more than 5 bags, at least every fifth bag but not less than 5 bags shall be sampled. A probe or trier shall be used in drawing samples.

§ 659.59 *Liens*. The range grass seed must be free and clear of all liens and encumbrances, or, if liens or encumbrances exist on the range grass seed, proper waivers must be obtained.

§ 659.60 *Service fees*. At the time the producer signs a purchase agreement he shall pay a service fee of 1 cent per 100 pounds on the quantity specified on Commodity Purchase 1 as the maximum quantity he may deliver, or \$1.50, whichever is greater. No refund of service fees will be made.

§ 659.61 *Set-offs*. A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the purchase to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lienholders. Indebtedness owing to CCC shall be given first consideration after claims of prior lienholders.

§ 659.62 *Transfer of producer's equity*. The producer may not assign the purchase agreement.

§ 659.63 *Delivery*. The producer who signs a purchase agreement (Commodity Purchase 1) will not be obligated to deliver any range grass seed to CCC. He may deliver any amount up to but not in excess of the quantity shown on Commodity Purchase 1. If the producer desires to deliver range grass seed to CCC he shall, during the month of May, 1949, submit warehouse receipts representing eligible range grass seed stored in eligible

warehouse storage to the county committee for the quantity of such range grass seed he elects to sell to CCC, but not in excess of the quantity shown on Commodity Purchase 1, or, in the case of range grass seed stored in other than eligible warehouse storage, he shall notify the county committee of his intention to sell and request delivery instructions. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines that more time is needed for delivery. Range grass seed stored in other than eligible warehouse storage will be purchased on delivery at points designated by CCC. When delivery is completed, payment shall be made by sight draft drawn on CCC by the State PMA office on the basis of an approved Commodity Purchase 4. The producer shall direct on such forms to whom payment of the purchase price shall be made. Eligible range grass seed will be purchased on the basis of the net weight of such seed and in accordance with the schedule of specifications and rates shown in § 659.66.

§ 659.64 *Storage and handling charges.* Commodity Credit Corporation will not pay or assume any of the costs of cleaning, bags and bagging, sampling, testing and analysis reports, tagging, or other handling or processing expenses which are necessary to prepare the seed to meet eligibility requirements, or storage charges accruing prior to May 1, 1949, or the date of the warehouse receipt, whichever is later, except that CCC will assume the warehouse receiving charge of the warehouse where the seed is delivered.

§ 659.65 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

ADDRESS AND AREA

Atlanta 3, Ga., 449 West Peachtree Street, N. E. Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Illinois, 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Texas, 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Postal Building, 802 Delaware Avenue: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., 328 McKnight Building: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, N. Y., 67 Broad Street: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oregon, 515 S. W. Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 30 Van Ness Avenue: Arizona, California, Nevada, Utah.

§ 659.66 *Schedule of specifications and rates.* The rates at which purchases will be made shall be computed in accordance with the schedule of specifications and rates shown below:

RANGE GRASS SEEDS

Kind of seed	Basic price per pound	Pure seed	Germination ¹	Maximum weed seed	Maximum other crop seed	Minimum pure seed	Minimum germination ¹	Discount in basic price for specified percentage below basic specifications			
								Pure seed		Germination	
								Percent below	Percent discount	Percent below	Percent discount
Common and botanical name	Cents	Percent	Percent	Percent	Percent	Percent	Percent				
Little Bluestem (<i>Andropogon scoparius</i>)	20	40	60	2	25	30	45	5	15	5	12
Big Bluestem (<i>Andropogon furcatus</i>)	20	70	60	2	25	60	50	5	15	5	12
Sand Bluestem (<i>Andropogon hallii</i>)	25	40	55	2	25	15	45	5	15	5	12
Blue Grama (<i>Bouteloua gracilis</i>)	15	60	70	2	25	40	60	5	15	5	8
Side-oats Grama (<i>Bouteloua curtipendula</i>)	20	25	85	2	25	20	55	5	20	5	8
Switchgrass (<i>Panicum virgatum</i>)	20	85	70	2	25	70	55	5	15	5	8
Lovegrass: Sand (<i>Eragrostis trichodes</i>)	50	90	60	2	25	85	40	1	3	5	10
Weeping (<i>Eragrostis curvula</i>)	50	95	90	2	25	90	80	1	3	5	7
Yellow Indiangrass (<i>Sorghastrum nutans</i>)	25	80	70	2	25	70	60	5	15	5	12
Buffalo grass (<i>Buchloe dactyloides</i>)	35	85	65	2	25	65	60	5	15	5	12
Mixed Bluestem	(9)	(9)	(9)	2	25	30	50	(9)	(9)	(9)	(9)
Mixed Grama	(9)	(9)	(9)	2	25	25	55	(9)	(9)	(9)	(9)

¹ Percentage of germination includes hard seed.

² Not more than 1 percent sand dropped.

³ Purchases will be made at the respective rates on quantities of big bluestem, little bluestem, and sand bluestem in mixture; provided the mixture contains at least 30 percent of 2 or more of these seeds; not more than 1 percent sand dropped and not more than 5 percent of grass seeds other than switchgrass, side-oats grama, and Indiangrass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2 percent.

⁴ Purchases will be made at the respective rates on quantities of blue grama and side-oats grama in mixture; provided the mixture contains at least 25 percent of blue grama and side-oats grama; not more than 1 percent of sand dropped and not more than 5 percent of grass seeds other than buffalo grass, bluestems, switchgrass, and Indiangrass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2 percent.

Issued this 19th day of January 1949.

[SEAL]

Approved:

RALPH S. TRIGG,
President, Commodity Credit Corporation.

ELMER F. KRUSE,
Manager, Commodity Credit Corporation.

[F. R. Doc. 49-632; Filed, Jan. 26, 1949; 8:50 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 561—OFFICERS' RESERVE CORPS

APPOINTMENT

Part 561 is hereby amended by rescinding §§ 561.2, 561.4, 561.7 and 561.9 and substituting the following in lieu thereof:

§ 561.2 *Appointment.* All persons appointed officers in the Organized Reserve Corps will be commissioned in the Army of the United States under the authority contained in section 37 of the National Defense Act.

§ 561.4 *Physical examination.* Approved Department of the Army policies relating to the postwar Organized Reserve Corps provided that the physical standards for officers and enlisted men of the Organized Reserve Corps will be those prescribed in current Army Regulations and Department of the Army directives.

§ 561.7 *Appointments or enlistments not made from certain classes.* No per-

son in any of the following categories will be appointed or enlisted in the Organized Reserve Corps, and any member thereof who accepts appointment or enlistment will be separated from the Organized Reserve Corps:

(a) Those who are presently conscientious objectors. If an individual has been a conscientious objector, he will be required to furnish an affidavit which will express his abandonment of such beliefs and principles so far as they pertain to his willingness to bear arms and to give full and unqualified military service to the United States; and where appropriate, he must have demonstrated that he has changed his views by subsequent military service.

(b) Those who are, or have been, a member of any foreign or domestic organization, association, movement, group, or combination of persons advocating subversive policy or seeking to alter the form of Government of the United States by unconstitutional means.

(c) Those who have a record of conviction by any type of military or civil court for other than a minor traffic violation. The Adjutant General (Attn: AGPR-A) may be requested to grant a waiver in the case of other minor viola-

tions which are nonrecurrent and which are not deemed prejudicial to performance of duty as an officer. No requests for waivers of conviction involving moral turpitude or conviction of a felony will be considered.

(d) Those who have been separated from the service:

(1) Under other than honorable conditions.

(2) For unsatisfactory service.

(3) By reason of resignation in lieu of court martial or reclassification.

(4) As a result of court martial or reclassification.

(e) Commissioned Officers of the Regular Army.

(f) Persons on the active or retired list of the Regular Air Force, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey.

(g) Cadets, United States Military Academy; Midshipmen, United States Naval Academy; and Cadets, United States Coast Guard Academy.

§ 561.9 *Termination of appointment.*

(a) Officers of the Inactive Reserve who have attained the maximum age-in-grade for that group as outlined below and are not eligible for the Honorary Reserve shall have their appointments terminated by The Adjutant General (AGPR-F) upon recommendation of the area commander.

(b) The maximum ages-in-grade for officers of the Inactive Reserve are as follows:

	2d Lt	1st Lt	Capt	Maj	Lt Col	Col
(1) For interim reorganization period until Jan. 1, 1951	40	43	46	53	60	63
(2) After Jan. 1, 1951	35	39	46	53	60	63

[SR: 140-5-1] (Sec. 37, 39 Stat. 189, 40 Stat. 73, sec. 3, 48 Stat. 939; 10 U. S. C. 353)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-612; Filed, Jan. 26, 1949; 8:46 a. m.]

PART 561—OFFICERS' RESERVE CORPS

APPOINTMENT OF PROFESSIONAL AND TECHNICAL EXPERTS

In § 561.10, paragraph (b) (6) (i) and the opening sentence of paragraph (e) (2) are changed as follows:

§ 561.10 *Appointment of professional and technical experts or specialists in Officers' Reserve Corps.* * * *

(b) *Eligibility.* * * *

(6) *Professional or technical and special educational requirements.* (i) *Minimum requirements.* Determination of the grade in which an applicant is to be commissioned is the function of the examining board interviewing the applicant, subject to final approval of The Adjutant General. The grade will be

based on the total number of years of qualifying college education and/or experience according to the following scale of minimum requirements for each grade:

Officer grade:	Qualifying college education and/or experience (years)
Second lieutenant	4
First lieutenant	7
Captain	11
Major	18
Lieutenant colonel	25
Colonel	32

(e) *Application and allied papers.*

(2) WD AGO Form 643A (Personal History Statement) in duplicate, except that applicants for appointment in the Military Intelligence Reserve and Army Security Reserve are required to submit in triplicate. * * *

[DA Cir. 394, 1948] R. S. 161; 5 U. S. C. 22)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-613; Filed, Jan. 26, 1949; 8:46 a. m.]

Subchapter F—Personnel

PART 571—RECRUITING AND ENLISTMENTS

ONE-YEAR ENLISTMENTS IN ARMY OF UNITED STATES AND AIR FORCE OF UNITED STATES

1. The caption of Part 571 is changed to read as set forth above, and the center head "Regular Army and Air Force" is inserted above § 571.1.

2. Section 571.10 is added as follows:

ONE-YEAR ENLISTMENTS

§ 571.10 *One-year enlistments in the Army of the United States and the Air Force of the United States—(a) General.*

(1) The purpose of this section is to set forth the procedure for accomplishing 1-year enlistments in the Army of the United States and the Air Force of the United States, as authorized by the Selective Service Act of 1948 (Public Law 759, 80th Cong.).

(2) Enlistments of qualified male applicants in the Army of the United States and the Air Force of the United States are authorized within the continental limits of the United States and the territorial limits of Alaska, Hawaii, and Puerto Rico. Enlistments in the Army of the United States only are authorized within the territorial limits of the Virgin Islands.

(b) *Qualifications.* (1) All applicants must be qualified for enlistment under the provisions of §§ 571.1 through 571.4, except as modified below.

(i) They must be 18 years of age but not have attained their nineteenth birthday at time of enlistment. Proof of age by presentation of birth certificate or statement from State Registrar of Vital Statistics, or other similar state official, is mandatory for all applicants.

(ii) They must have no prior service, or have served less than 12 months' ac-

tive duty in any of the armed forces prior to 24 June 1948.

(2) All applicants must have obtained a standard score of 70 on the General Classification Test (R-5 or R-6) for Army of the United States, or a standard score of 90 on the General Classification Test (R-5 or R-6) for Air Force of the United States.

(c) *Grades.* All enlistments will be accomplished in grade seven.

(d) *Term of enlistment and assignment.* All enlistments accomplished under the provisions of this section will be for:

(1) One year.

(2) Army of the United States unassigned or Air Force of the United States unassigned.

(e) *Service obligation.* (1) Individuals enlisting under this authority will, upon completion of their term of enlistment, be transferred to a Reserve component of the armed forces of the United States, and shall be required to serve therein for a period of 6 years or until sooner discharged.

(2) The Reserve obligation outlined in subparagraph (1) of this paragraph may be discharged:

(i) By enlisting in the Regular Army or Air Force for a period which will make their total active Federal service equal to 3 years or more under such terms of enlistment as may be authorized by the Army or the Air Force, or

(ii) If offered an enlistment, enrollment, or appointment in, or assignment to, an organized unit of a Reserve component, or an officers' training program of the armed force in which they served, by accepting such enlistment, enrollment, appointment, or assignment and serving therein satisfactorily for a period of 4 years.

(3) A 1-year enlistees who does not discharge his Reserve obligation under subparagraph (2) (i) of this paragraph, and who fails or refuses to perform Reserve duty under subparagraph (2) (ii) of this paragraph, may be ordered to active duty, without his consent, for an additional period of not more than 12 consecutive months. [SR 615-130-5, AFR 35-91] (Pub. Law 759, 80th Cong.)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-611; Filed, Jan. 26, 1949; 8:46 a. m.]

Chapter VII—Department of the Air Force

Subchapter E—Aircraft

PART 825—USE OF UNITED STATES AIR FORCE BASES OVERSEAS BY CIVIL AIRCRAFT (DOMESTIC OR FOREIGN)

Sec.	
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RULES AND REGULATIONS

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825.11	Sales.
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825.13	Forms.

AUTHORITY: §§ 825.1 to 825.13 issued under sec. 5, 44 Stat. 570; secs. 207 (f), 208 (e), Pub. Law 253, 80th Cong., 61 Stat. 502, 503; 49 U. S. C. 175, 5 U. S. C. Sup. 626, 626c; Trans-fer Order 14, May 27, 1948, 13 F. R. 3094.

DERIVATION: AFR 55-20, January 7, 1949.

§ 825.1 *General.* The purpose of this part is to fix responsibility for and describe procedures to be followed on matters affecting the use of United States Air Force bases by civil aircraft (domestic or foreign) outside the Continental United States. Approval must be obtained by operators of civil aircraft for the flight or flights in each instance from the government or governments exercising sovereignty over any territory en route to the military bases and the territory in which the military base is located. Both United States and foreign aircraft may use the Air Force facilities only after the necessary approval has been obtained from the Department of the Air Force, or the appropriate overseas air commander, in accordance with procedures established herein and subject to the concurrence of the Department of State, or the appropriate United States diplomatic representative of the country concerned. Under no conditions will service or facilities be made available by the Air Force for the use of civil aircraft in competition with private enterprise. Service or facilities will be made available only when civil airfield facilities are not reasonably accessible to the operator of the aircraft.

§ 825.2 *Definitions.* (a) Air navigation facilities include any airport, emergency landing field, light or other signal structure, radio directional finding facility, or other electrical communication facility, and any other structure or facility used as an aid to air navigation.

(b) Domestic aircraft are those aircraft owned by Nationals of the United States or United States corporations, either within or without the United States and registered with and certified by official United States civil aeronautical authorities.

(c) Foreign aircraft are those aircraft owned by a foreign national or a foreign corporation and registered with and certified by a foreign nation.

(d) Civil aircraft are those aircraft (domestic or foreign) operated by civil persons, individuals, or corporate of any government, in other than military or state operations.

§ 825.3 *Applications.*—(a) *Channels of communication.* Operators of civil aircraft requesting permission to use Air Force facilities must direct a letter of application to either United States diplomatic representatives in the country in which the aircraft is registered, the overseas Air Force headquarters controlling the bases to be used, or the Chief of Staff, United States Air Force, Attention: Facilities Division, Directorate of Installations, DCS/M, Washington 25, D. C.

(b) *Contents.* The letter of application will include the following information:

(1) Purpose of flight (tourist, survey, charter, revenue or non-revenue, etc.) giving details including United States base and facilities to be used, and route to be followed.

(2) Number and frequency of proposed flights.

(3) Name and address of the financial sponsor of the flight.

(4) Name of the country in which the aircraft is registered.

(5) Name and address of registered owner.

(6) Name of manufacturer of aircraft, model, serial number, identification mark, expiration date of Aircraft Airworthiness Certificate, and maximum gross weight permitted by the appropriate aeronautical authority of the country of manufacture in kilos (lbs.)

(7) Amount of aviation insurance and name of the company with which carried.

(c) *Approving authority.* Oversea air commanders are authorized to approve, when such authority has been delegated by Headquarters, United States Air Force, requests from civil aircraft operators on a nondiscriminatory basis within their own area for use of facilities under their control. Headquarters, United States Air Force will act upon all requests not falling within the above category.

§ 825.4 *Insurance.* (a) Aircraft owners or operators making frequent use (more than one landing per month) of Air Force aviation facilities outside the Continental limits of the United States are required to keep Aircraft Liability insurance in force at their own cost and expense as follows:

(1) Aircraft used for cargo carrying only shall be insured for Public Bodily Injury with a limit of at least fifty thousand dollars (\$50,000) for one person in any accident, and subject to that limit for each person, of five hundred thousand dollars (\$500,000) in any one accident, and Public Property Damage Liability with a limit of at least five hundred thousand dollars (\$500,000) for each accident.

(2) Aircraft used for both cargo and passenger carrying or for passenger carrying only shall be insured for the same coverage as required in subparagraph (1) of this paragraph and in addition for Passenger Bodily Injury Liability with a limit of at least fifty thousand dollars (\$50,000) each passenger, and subject to that limit for each passenger, a limit for each accident, in any one aircraft, equal to the total produced by multiplying the limit stipulated above for each passenger by the total number of seats in the aircraft or by the total number of passengers carried, whichever is greater.

(3) All policies will contain an endorsement providing a waiver of any right of subrogation the insurance company may have against the United States by reason of any payment under the policy.

(4) All policies will specifically provide, by indorsement or otherwise, that the provisions thereof are to be in full force and effect in the country or countries outside the Continental limits of

the United States where the Air Force bases concerned are located.

(b) All insurance policies will be carried with an insurance company or companies duly authorized by law to engage in the insurance business in the country of domicile of the applicant.

§ 825.5 *Customs, immigration and sanitation.* Custom, immigration and sanitation officials will be informed of the arrival of the civil aircraft. It is the responsibility of the aircraft commander that all custom, immigration and sanitation regulations are complied with fully as soon as practicable after the landing. Clearance for take-off will not be issued until such regulations have been met.

§ 825.6 *Conditions of use.* Priority of use of air navigation facilities owned or operated by the Air Force will be determined by the Air Force. The use of Air Force facilities by civil aircraft will be based on the following conditions:

(a) No over-riding military considerations exist for denying such use as determined by the Air Force.

(b) Civil airfield facilities are not reasonably available to the operator of the aircraft.

(c) No military facilities, personnel, or special stocks of material will be maintained solely for the purpose of rendering assistance to civil aircraft. Retained facilities, personnel, and special stocks of material will be based upon military requirements.

(d) Operators of civil aircraft utilizing military airfields will carry proper certification as hereinafter described.

(e) Payment of appropriate fees as provided in §§ 825.11 and 825.12.

(f) Operators of civil aircraft utilizing air navigation facilities owned or operated by the Air Force are required to comply with the air and ground rules and regulations promulgated by the Chief of Staff, United States Air Force, or the commanding officer of the establishment to which the facilities being employed pertain.

§ 825.7 *Emergency landings.* Nothing contained herein will be construed to prohibit or restrain any aircraft in distress from making a necessary and unforeseen landing at any Air Force airfield. Such Air Force assistance, as may be required, to enable such aircraft to continue its flight to the nearest commercial airport is authorized, under the conditions established within this part.

§ 825.8 *Unauthorized landings.* In the event the operator of a civil aircraft lands at any Air Force installation without official authorization, the commanding officer of the installation concerned is required to obtain an executed agreement (AF Form 32) from such operator and is authorized to execute it on behalf of the Air Force after obtaining Department of the Air Force or overseas air command approval. This agreement must be executed prior to the giving of any assistance under authority of this part or the take-off of the aircraft in question. If, in the opinion of the commanding officer of the base concerned, the landing of the carrier without authorization is a bona fide emergency, the commanding officer is authorized to exe-

cute the agreement as specified in § 825.9 (a), without obtaining prior approval of the Department of the Air Force or oversea air command and to assist the carrier in all matters as outlined within this part. Termination of this agreement will be at the termination of the flight then in progress.

§ 825.9 *Certification of aircraft*—(a) *Certificate form.* All operators of civil aircraft are required to execute an AF Form 32, "Agreement Covering Civil (Domestic or Foreign) Aircraft Operations at United States Air Force Bases Overseas" (see § 825.13 (a)), prior to the inauguration of their operation. This certificate must be executed in quintuplicate, the original of which will be retained by the individual or airline executing the agreement.

(b) *Authentication of certificate.* United States officials authorized to authenticate this agreement consist of the following:

(1) Commanding officers of Air Force bases under conditions listed in §§ 825.7 and 825.8.

(2) Oversea air commanders when this authority has been delegated by Headquarters, United States Air Force.

(3) United States diplomatic representatives to that nation with which the aircraft is registered, after obtaining approval from Headquarters, United States Air Force.

(4) Chief of Staff, United States Air Force, (Facilities Division, Directorate of Installations, DCS/M)

§ 825.10 *Aircraft permit.* Each civil aircraft using Air Force bases are required to carry at all times in the custody of the commander of the aircraft an AF Form 33, "Aircraft Permit to Use United States Air Force Bases Overseas" (see § 825.13 (b)) which must be shown to the base commander upon the arrival of the civil aircraft. Any restrictions imposed by the Department of the Air Force will be placed on the reverse side of this form by the individual executing this permit as the authorized United States official. The authentication of this permit will be by individuals authorized to execute AF Form 32 (§ 825.9 (b)).

§ 825.11 *Sales*—(a) *Cash transactions.* All transactions at an Air Force base will be reimbursable to the Air Force on a cash basis, except as outlined in paragraph (b) of this section.

(b) *Aviation fuel and oil.* Operators of civil aircraft will designate where appropriate, a commercial oil company regularly conducting business in the United States and/or its Territories as its authorized supplier. Notification of the supplier's name, together with written acceptance thereof by the supplier will accompany the initial request, AF Form 33, from a civil air carrier if service on other than a cash basis is desired. The acceptance by the supplier will include a statement that the supplier guarantees to reimburse the United States Government for all gasoline and oil supplies furnished the particular individual or company at military bases. At the time the supplier's acceptance is obtained, a certified copy will be forwarded immediately

to the Commanding General, Air Materiel Command. Headquarters, Air Materiel Command is authorized to make a proper determination in all instances considered necessary under this system of collection by any authorized United States official (§ 825.9 (b)). These United States officials are authorized to communicate direct with the Commanding General, Air Materiel Command, Attention: Property Officer, Fuel Branch, MCMSXE 21, Wright-Patterson Air Force Base, Dayton, Ohio, on all matters pertaining to these requests. WD AGO Form 446 (Issue Slip) will be accomplished fully, and the receipt for such fuel and oil must be acknowledged by the aircraft commander.

(c) *Payment in advance.* The commanding generals of oversea air commands are authorized to contract with the civil air operators, after their original application has been approved, on a non-refund basis for payment up to three months in advance for landing, shelter, and tie-down fees. This contract may be entered into at the discretion of the oversea air commander. Any other form of credit is expressly prohibited.

(d) *Requests by aircraft commander.* Requests for gasoline, oil, supplies, or services in connection with civil aircraft will be made in writing by the aircraft commander who will specify in detail the kind of gasoline, oil, or supplies desired or the exact services to be furnished. The commander of the civil aircraft or an agent designated by him, requesting mechanical service at a base, will supervise personally the performance of any services rendered, and upon completion of the work and prior to clearance or take-off will release the United States from all responsibility by executing AF Form 34, "Certificate of Release" (see § 825.13 (c)).

(e) *Liability.* The Air Force will accept no responsibility for the quality or condition of the gasoline, oil, or supplies sold, or the competence or skill of the mechanical service furnished to operators of civil aircraft.

§ 825.12 *Prices*—(a) *General.* All articles will be sold and assistance furnished at the fair market value prevailing locally, but in no case will aviation supplies be sold for less than cost price plus 15 percent for transportation, handling, etc. In cases where similar supplies are not available in nearby localities the price charged will be cost price plus 15 percent except as hereinafter noted. On all supplies furnished to civil aircraft operators on which the charges to be made are taken from official Air Force stock lists, a 3 percent overhead charge will be added.

(b) *Aviation supplies.* On all aviation supplies, except gasoline and oil, the price listed in Air Force stock lists will be considered as the cost price. On the sale of engines and spare parts, 25 percent for transportation to the theater plus 15 percent for handling within the theater will be added to the stock list price. No repairable parts will be exchanged for any Air Force issues, and no credit will be allowed for items of a similar nature to those sold.

(c) *Aviation fuel and oil.* F. O. B. ocean terminal cost prices on aviation

fuel and oil will be published by Headquarters, Air Materiel Command. Storage, handling, and transportation costs after the aviation gasoline or oil leaves the ocean terminal will be added by the theater commander to determine the final charges to be made to civil air operators. If it is impossible to determine or reasonably approximate these latter charges, 20 per cent per United States gallon will be added to the F. O. B. ocean terminal price to determine charges to be made to civil air operators.

(d) *Landing fees.* Landing fees will be charged at Air Force bases outside the Continental limits of the United States as outlined below:

	Amount per landing
From 1 to 90 landings per month per individual company:	
10,000 pounds or less	\$3.00
11,000 pounds to 25,000	5.00
Over 25,000 pounds	15.00
Next 90 landings per month per individual company:	
Up to and including 25,000 pounds	4.00
Over 25,000 pounds	24.00
In excess of 180 landings per month per individual company:	
Up to and including 25,000 pounds	3.00
Over 25,000 pounds	23.00
* Plus 15 cents per 1,000 pounds in excess of 25,000 pounds.	
* Plus 12 cents per 1,000 pounds in excess of 25,000 pounds.	
* Plus 10 cents per 1,000 pounds in excess of 25,000 pounds.	

Weights specified above are the maximum gross take-off weights permitted by the appropriate aeronautical authority of the country of manufacture. Calculations will be made to the nearest thousand pounds. The figure certified in AF Form 33 will be used as the basis for the above charges. In the event no aircraft permit is available, the commanding officer of the base will estimate the maximum gross weight based upon the best information available to him and use this figure in determining the landing fees to be charged.

(e) *Mechanical services.* Mechanical services will be provided in an emergency, as determined by the commanding officer, when such services are not available from other sources. Services of military personnel will be computed on a basis of \$1.25 per man-hour. Services of civilian personnel, employed in the military service, will be computed on the per hour rate paid such personnel by the Department of the Air Force.

(f) *Shelter and tie-down service.* Shelter (hangar facilities) or tie-down (no hangar facilities) service may be furnished if requested when such service can be accomplished without interruption to normal military operations. Fees will be charged as outlined below:

(1) For shelter (hangar facilities). 20 cents per 1,000 pounds for each 24-hour period or fraction thereof (minimum \$3.00).

(2) For tie-down (no hangar facilities). 10 cents per 1,000 pounds for each 24-hour period or fraction thereof, such charges to start six hours after the plane lands (minimum \$1.00).

Weights specified are the maximum gross take-off weights permitted by the appropriate aeronautical authority of the country of manufacture. Calcula-

tions will be made to the nearest thousand pounds. The figures certified in AF Form 33 will be used as the basis for the above charges. In the event no aircraft permit is available, the commanding officer of the base will estimate the maximum gross weight based upon the best information available to him and use this figure in determining the shelter or tie-down fees to be charged.

(g) *Storage.* Civil aircraft damaged to such an extent that major repairs are required may be given emergency storage at the request of the pilot, provided that necessary facilities are available, at the rates of shelter shown in paragraph (f) of this section, but a major or minor overhauling of civil aircraft will not be made at Air Force bases by military personnel or civilian employees of the Air Force. Damaged aircraft may, when facilities are available, be stored in its original damaged condition, but the United States Government will not assume responsibility for its safekeeping and the owner will be required to take charge of it and remove it from United States Government storage at the earliest practicable date.

(h) *Messing and billeting.* Messing and billeting services within existing capacity will be provided, if not readily available from other sources. Charges for these services will be computed on the basis of the rates prevailing locally as determined by the local commanding officer, or on existing rates charged transient personnel, and will be paid for in cash prior to the departure of the civil aircraft in question.

(i) *Local transportation.* Local transportation, subject to limitations of available facilities and personnel, will be furnished to billets, if such billets are located off the base. Ordinarily transportation, so provided, will be computed at the rate of \$1.00 per passenger per trip except where owing to local conditions, the commanding officer, with approval of the next higher echelon of command, has established a different charge, and will be paid for in cash prior to the departure of the civil aircraft in question.

(j) *Emergency medical service.* Emergency medical service, as determined by the commanding officer of the hospital or his representative, will be furnished. Charges for this service will be made in accordance with current directives.

(k) *Exchanges and sales stores.* Exchange and quartermaster sales store facilities at military bases will not be made available to any individual who is not otherwise authorized to use such facilities.

(l) *Aeronautical radio services.* Aeronautical radio services will be made available to civil air operators in accordance with the following:

(1) Aeronautical radio services of a general public service type will be furnished without charge. These services include those connected with air navigation, airways and meteorological communications, air traffic control, rescue, and instrument approach and landing. Airways communications include the following categories of messages which will be handled without charge: distress;

those concerning the safety of human life; aircraft movement; air traffic control; operation; reservation; services; notices to airmen (NOTAMS) and other airline agency traffic pertaining to the operation of the airline.

(2) In the absence of adequate facilities (commercial communications, pilot pouch, air or regular mail, etc.) administrative or other airline operating agency private type of message will be accepted without charge and without United States Government responsibility, for transmission via existing military telecommunications channels to the appropriate adjacent commercial communications entry point for refiling on a collection-delivery basis. Normally, administrative messages will not be handled unless of an extremely important nature requiring rapid transmission and immediate reply and which can not be handled adequately via mail, pilot pouch, or commercial channels.

(3) No increase in personnel or equipment will be authorized to support the handling of the above-mentioned traffic. The volume of those messages handled will be contingent solely upon the Air Force's ability to handle that traffic without an increase in personnel or equipment or conflict with the military mission.

(4) In all cases where messages are received for operators of civil aircraft at Air Force overseas bases, the responsibilities of the Air Force for delivery of such is restricted to the limits of the air base. Arrangement for delivery beyond stated limits is the entire responsibility of civil air carriers.

(m) *Installation facilities.* All requests for allocation of office and storage space, utility and communications facilities and for the provision of similar facilities and services must be referred to the Chief of Staff, United States Air Force, Attention: Directorate of Installations, DCS/M, Washington 25, D. C., for investigation and subsequent action.

§ 825.13 *Forms—(a) Agreement Covering Civil (Domestic or Foreign) Aircraft Operations at United States Air Force Bases Overseas; AF Form 32.*

Date _____

Address _____

To (Individual or Airline)

Based upon prior approval of the Chief of Staff, United States Air Force, the United States has made available certain facilities and services to _____ in connection with operation by _____ of [] passenger, mail, and cargo service [] an aircraft [] in [] between _____ and [] other nations [] other nations served where such airfield service and facilities are not available from other sources, and are within the existing capacity of United States Air Force installations.

Certain facilities and services have been made available by the United States Air Force to _____ for _____ landings and are to be used in common with the United States Air Force and with others authorized by the United States Air Force. These facilities and services have been and will be made available subject to the regulations prescribed in AFR 55-20, and in consideration of the following:

1. United States Air Force requirements will receive first priority at United States Air Force bases.

2. The operation of all civil aircraft (foreign or domestic) at Air Force installations will be carried on at no additional expense to the United States Air Force.

3. Civil airfield facilities and services will be utilized by all operators of civil aircraft when they are reasonably available.

4. Operators of civil aircraft will carry proper United States Air Force certification and identification, "Aircraft Permit to Use United States Air Force Bases Overseas" (AF Form 33).

5. _____ hereby certifies that all necessary approval from the government or governments exercising sovereignty over any territory en route to the military base and the territory in which the military base is located will have been obtained prior to the departure of any flights concerned herein.

6. a. _____ for (himself) itself, (his) successors and assigns, by operation of law and otherwise, does hereby forever release and discharge the United States, its agencies, agents, and/or military, civilian, or contract personnel acting within the scope of their employment, their heirs, successors, executors, administrators, or assigns from any and all liabilities, claims, demands, actions, or causes of action of every nature and character whatsoever arising out of or from any act, omission, negligence, quality, of supplies, services rendered or manner of performance of services rendered, or any cause whatsoever in connection with the use of any United States Air Force base or bases or facilities by _____ or from the sale of services or supplies by the United States Air Force to _____ excepting such liabilities, claims, demands, actions, or cause of action as result from the willful misconduct of any agency, agent, military, civilian, or contract personnel of or under contract with the United States.

b. _____ for (himself) itself, (his) its successors and assigns, by operation of law or otherwise, assumes and agrees to defend, pay or otherwise settle any and all present or future liabilities or claim of liabilities, demands, actions, or causes of action of every nature and character whatsoever by or in favor of third persons or parties, their heirs, successors, executors, administrators, and assigns (including any government or agencies thereof) against the United States, its agencies, agents and/or military, civilian, or contract personnel acting within the scope of their employment, their heirs, successors, executors, administrators, or assigns, arising out of or from any act, omission, negligence, quality or supplies, services rendered, or any cause whatsoever in connection with the use of any United States Air Force base or bases of facilities by _____ or from the sale of services of supplies by the United States Air Force to _____ and _____ will hold the United States and such other agencies, agents, or persons harmless and defend them against any such liabilities, claims, demands, actions, or causes of actions of every nature and character whatsoever hereafter asserted or brought by third persons or parties _____ (including any government or agencies thereof) including costs of suit, attorney's fees or other expenses in connection therewith excepting such liabilities, claims, demands, actions, or causes of action as result from the willful misconduct of any agencies, agents, military, civilians, or contract personnel of or under contract with the United States.

c. _____ for (himself) itself, (his) its successors and assigns, by operation of law or otherwise, assumes and agrees to pay or otherwise settle any and all present or future liabilities for loss, damage, or injury to personnel, equipment, or installations of or under the control of the United States caused by or resulting from the operation of aircraft and/or vehicle by _____ in connection with the use of any United

States Air Force base or bases or facilities, excepting such loss, damage, or injury as result from the negligence, or willful misconduct of any agencies, agents, military, civilian, or contract personnel of or under contract with the United States.

7. _____ hereby certifies that all aircraft operated by (him) it making frequent use (more than one landing per month) of United States Air Force facilities concerned are insured with an insurance company or companies, duly authorized by law to engage in the insurance business in the country of (his) its domicile, for the following amounts and conditions:

a. Aircraft used only for cargo carrying shall be insured for Public Bodily Injury with a limit of at least fifty thousand dollars (\$50,000) one person in any accident, and subject to that limit for each person, of five hundred thousand dollars (\$500,000) in any one accident, and Public Property Damage Liability with a limit of at least five hundred thousand dollars (\$500,000) for each accident.

b. Aircraft used for both cargo and passenger carrying or for passenger carrying only shall be insured for the same coverage as required in a. above, and in addition for Passenger Bodily Injury Liability with a limit of at least fifty thousand dollars (\$50,000) each passenger, and subject to that limit for each passenger, a limit for each accident, in any one aircraft, equal to the total produced by multiplying the limit stipulated above for each passenger by the total number of seats in the aircraft or by the total number of passengers carried, whichever is greater.

c. All policies will contain an endorsement providing a waiver of any right of subrogation the insurance company may have against the United States by reason of any payment under the policy.

d. All policies will specifically provide, by endorsement or otherwise, that the provisions thereof are to be in full force and effect in the country or countries outside the continental limits of the United States where the United States Air Force bases concerned are located.

8. It is requested that this agreement formally be executed in the lower right hand corner by the individual concerned or the duly accredited representative of _____. The execution of this agreement by _____ will constitute a formal acceptance by (the) _____ of all conditions and terms herein set forth. This agreement is revocable at will by the United States Air Force, but in any case terminates on _____ if prior revocation has not been received from authorized United States sources.

9. Additional provisions:

The above agreement, together with the provisions and conditions therefore, is hereby accepted this ____ day of _____ 19____.

Typed name and title.

Signature of individual or authorized company representative

Typed name and title.

Signature of authorized United States official

(b) *Aircraft Permit to Use United States Air Force Bases Overseas; AF Form 33.*

Date

Purpose of Flight:

[] Tourist [] Survey [] Charter
[] Revenue [] Non-Revenue []
Other (Specify)

Give details of proposed flight

No. 17—2

United States facilities to be used	
Number of proposed flights	Frequency of proposed flight
Name of financial sponsor of flight Address	
Registered owner (aircraft) Address	
Name of country in which aircraft is registered	
Manufacturer	
Model	Serial number
Identification mark	
Expiration date of aircraft airworthiness certificate	
Maximum take-off gross weight permitted by the appropriate aeronautical authority of the country of manufacture (Kilos-lbs.)	
Authorized Supplier (If "None" so state)	

I certify that the above information is true to the best of my knowledge and belief, and I hereby designate the aircraft commander as my agent on all matters arising from the use of this permit.

Signature of individual or authorized company representative

This permit has been granted based upon the prior execution of "Agreement Covering Civil (Domestic or Foreign) Aircraft Operations at United States Air Force Bases Overseas." This permit terminates on _____ if prior revocation has not been received from authorized United States sources and is subject to the United States Air Force restrictions indicated below.

Restrictions (if any)

Signature of authorized United States official

(c) *Certificate of Release; AF Form 34.*
Date

First name	Middle initial	Last name
Aircraft model Serial No. Air Force Base		

I do hereby certify that the supplies furnished and the work performed by the United States Government on the above-mentioned aircraft of which I am aircraft commander, has been satisfactorily performed. I further certify that this aircraft is airworthy and suitable for sustained flight.

Signature of aircraft commander

[SEAL] L. L. JUDGE,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 49-623; Filed, Jan. 29, 1949; 8:48 a. m.]

Subchapter G—Personnel

PART 871—RECRUITING AND ENLISTMENTS
ONE-YEAR ENLISTMENTS IN ARMY OF UNITED STATES AND AIR FORCE OF UNITED STATES

CROSS REFERENCE: For amendment of the headnote of this part, addition of a center headnote above § 871.1, and addi-

tion of § 871.10, see F. R. Doc. 49-611, Title 34, Chapter V, Part 571, *supra*, text of which is identical to Part 871.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle [Order MC-233]

PART 186—PASSENGER AND EXPRESS TARIFFS AND SCHEDULES

RELEASED RATES

Released rates for interstate transportation of express by common carriers of passengers by motor bus, together with individual released rates orders heretofore issued to, or for the account of, certain such carriers covering such transportation, being under consideration, and good cause therefor appearing: It is ordered, that:

§ 186.50 *Released rates; express service—(a) Establishment.* All common carriers of passengers by motor bus who have been, or who may hereafter be, granted authority by the Commission to transport express are hereby authorized to establish and maintain, by filing and posting in the manner prescribed in the Interstate Commerce Act, rates for the transportation of property in express service, by motor bus in interstate commerce, dependent upon the value declared in writing by the shipper or agreed upon in writing as the released value of the property as follows:

Released Valuations and Rate Basis

Released to value not exceeding \$50 for any shipment of 100 pounds or less, or not exceeding 50 cents per pound actual weight for any shipment in excess of 100 pounds. Base rate or charge.

Released to value exceeding \$50 for any shipment of 100 pounds or less, or exceeding 50 cents per pound actual weight for any shipment in excess of 100 pounds. 10 cents for each \$100 or fraction thereof in excess of the valuation to which the base rate or charge applies.

(b) *Changes in rates or released valuations.* Changes may be made in any base rate or charge established under the authority of this section, but the released value to which the base rate or charge applies may not be reduced, nor may the charge for excess released value be increased without specific authority of the Commission.

(c) *Authority for released rates must be shown in tariff.* Tariffs containing released rates and charges filed under authority of this section shall show in connection with such rates and charges, the following notation:

Rates and charges herein based on released value have been authorized by the Interstate Commerce Commission in Released Rates Order No. MC-233 of January 14, 1949, subject to complaint or suspension.

(d) *Carriers affected.* This section does not constitute authority for the establishment of released rates or charges on any description of traffic or over the

line of any carrier other than as herein specifically indicated.

(e) *Lawfulness of rates.* The Commission does not hereby approve the lawfulness, except under sections 20 (11) and 219 of the Interstate Commerce Act,

of any rates or charges which may be filed under authority of this section. (34 Stat. 595, as amended; 49 Stat. 563; 56 Stat. 300; 49 U. S. C. 20 (11) 319)

Dated at Washington, D. C., this 14th day of January 1949.

By the Commission.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 49-624; Filed, Jan. 26, 1949;
8:48 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Part 292]

IRREGULAR AIR CARRIERS

SUPPLEMENTAL NOTICE OF PROPOSED RULE- MAKING AND ORAL ARGUMENT THEREON

By notice dated December 10, 1948 (Economic Regulations Draft Release No. 33) published on December 16, 1948, at 13 F. R. 7785, the Board gave notice that it has under consideration revision of § 292.1 of the Economic Regulations governing Small and Large Irregular Carriers. Reference is made to that notice for the terms of the proposed rule and further explanation thereof. Copies of Draft Release No. 33 may be obtained from the Secretary, Civil Aeronautics Board, Washington 25, D. C.

The Board having received requests which it believes warrant such action, notice is hereby given that the time for

receipt of comments on the proposed rule has been extended to February 1, 1949, and that consideration of the proposed rule has been set down for oral argument at 10:00 a. m., February 15, 1949, in Room 5042, Department of Commerce Building, Washington, D. C. Oral argument will be limited to one full day for all interested parties, who are urged to combine their presentations and speak through a single representative wherever possible. Those desiring to be heard are requested to inform F. W. Brown, Chief Hearing Examiner, Civil Aeronautics Board, prior to February 8, 1949, indicating any arrangements they have made with other parties for combined presentations through a single representative.

A supplemental notice will be issued shortly setting forth the issues to which the Board desires oral argument to be directed. Those persons who have indicated a desire to be heard will be individually advised as to the time allotted

for each oral presentation. Pursuant to the provisions of § 301.3 of the organizational regulations, as amended on December 7, 1948, copies of comments on the proposed revision received by the Board will be available in the docket section for public inspection beginning February 2, 1949 (the day following the final date for receipt of comments)

Oral presentation may be in addition to or in lieu of written submission pursuant to the previous notice (Draft Release No. 33) which is hereby amended to provide that all relevant material and communications received on or before February 1, 1949 will be considered by the Board before taking final action on the proposed rule.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-634; Filed, Jan. 26, 1949;
8:51 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 3264]

PAN AMERICAN AIRWAYS, INC., SAUDI
ARABIAN INVESTIGATION

NOTICE OF HEARING

In the matter of the investigation to determine whether Pan American Airways, Inc., in the conduct of its operations between the United States and Saudi Arabia, is in violation of any provision or provisions of the Civil Aeronautics Act.

Notice is hereby given that hearing in the above-entitled proceeding, now assigned to be held on January 24, 1949, at 10:00 a. m. (eastern standard time) in Room 2015, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., is postponed to February 21, 1949, at the same time and place.

Dated at Washington, D. C., January 24, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-635; Filed, Jan. 26, 1949;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Project No. 1930]

SOUTHERN CALIFORNIA EDISON CO.

ORDER CHANGING DATE FOR ORAL ARGUMENT

On December 14, 1948, the Commission ordered that oral argument upon the exceptions to the decision of the Presiding Examiner in the above-entitled matter be had before the Commission on February 1, 1949, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

The Commission orders:

The date for oral argument upon the exceptions to the decision of the Presiding Examiner in the above-entitled matter be and it is hereby changed to March 2, 1949, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: January 19, 1949.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-614; Filed, Jan. 26, 1949;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1633]

PHILADELPHIA CO. ET AL.

SUPPLEMENTAL ORDER PERMITTING PROPOSED CHARGE AND CONTINUING RESERVATIONS OF JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 19th day of January 1949.

In the matter of Philadelphia Company, Pittsburgh and West Virginia Gas Company, Equitable Gas Company, Finleyville Oil and Gas Company; File No. 70-1633.

Philadelphia Company, a registered holding company, and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, and certain of the subsidiaries of Philadelphia Company, to wit, Pittsburgh and West Virginia Gas Company, Equitable Gas Company ("Equitable"), and Finleyville Oil and Gas Company ("Finleyville") having filed a joint application-declaration, and amendments thereto, pursuant to applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, wherein was pro-

[File No. 70-2003]

MISSISSIPPI POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 19th day of January A. D. 1949.

Mississippi Power & Light Company ("Mississippi"), a utility subsidiary of Electric Power & Light Corporation, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, having filed an application-declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) and 7 thereof and Rule U-50 thereunder regarding the issue and sale, at competitive bidding, of \$7,500,000 principal amount of its First Mortgage Bonds, --% Series, due 1979; and

The Commission, having by order dated January 6, 1949 granted said application-declaration, as amended, subject to the condition that the proposed issue and sale of bonds not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order entered by the Commission in the light of the record so completed and subject to a reservation of jurisdiction with respect to the payment of fees and expenses incurred or to be incurred in connection with the proposed transactions; and

Mississippi having filed a further amendment to its application-declaration setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids the following bids for the bonds have been received:

Bidding group headed by—	Coupon rate	Price to company	Cost to company
Halsey, Stuart & Co., Inc.	3½	101.577	3.0444
Equitable Securities Corp.	3½	101.416	3.0223
Shields & Co.	3½	101.416	3.0223
Merrill Lynch, Pierce, Fenner & Bane.	3½	101.432	3.0233
Glore, Forgan & Co.	3½	101.331	3.0223
White, Weld & Co.	3½	101.1710	3.0243
The First Boston Corp.	3½	101.02	3.0773
Union Securities Corp.	3½	101.02	3.0773

Said amendment to the application-declaration having further set forth that Mississippi has accepted the bid of Halsey, Stuart & Co., Inc., as set out above, and that said bonds will be offered for sale to the public at a price of 102.06% of the principal amount thereof plus accrued interest from January 1, 1949 to the date of delivery, resulting in an underwriters' spread of 0.483% of the principal amount of said bonds; and

It appearing to the Commission that fees and expenses aggregating \$70,000 proposed to be paid in connection with the proposed transactions are not unreasonable, said fees and expenses including counsel fees as follows:

Rold & Priest (New York counsel for company)	\$8,500
Green and Green (local counsel for company)	4,250
Winthrop, Stimson, Putnam & Roberts (counsel for underwriters. Fees to be paid by successful bidders) ..	6,000

The Commission having examined said amendment and having considered the record herein and finding no reason for imposing terms and conditions with respect to such matters:

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as the result of competitive bidding under Rule U-50 and with respect to fees and expenses in connection with the issue and sale of said bonds, including the fee and expenses of counsel for the successful bidder be, and hereby is, released, and that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith subject, however, to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-620; Filed, Jan. 26, 1949;
8:47 a. m.]

[File No. 70-2026]

CINCINNATI GAS & ELECTRIC CO. AND UNION LIGHT, HEAT AND POWER CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 19th day of January 1949.

The Cincinnati Gas & Electric Company ("Cincinnati") a subsidiary of the United Corporation, a registered holding company, and the Union Light, Heat and Power Company ("Union"), a subsidiary of Cincinnati, having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b) 7, 9, 10 and 12 thereof and Rule U-43 promulgated thereunder with respect to the issue and sale by Union, pursuant to the competitive bidding requirements of Rule U-50, of \$5,000,000 principal amount of First Mortgage Bonds, the proceeds of such sale to be used by Union to pay, at the principal amount thereof, the \$2,295,700 principal amount of presently outstanding 6% bonds of Union now owned by Cincinnati and the balance of the proceeds to be used for necessary construction and extension of Union's property, plant and equipment; and with respect to the issue and sale by Union of 20,000 shares of common stock pro rata to Union's present common stockholders, and related transactions; and

The Commission by order dated January 14, 1949 having granted and permitted to become effective the joint application-declaration with respect to the issue and sale of common stock and related transactions; and

posed the reorganization of the Pennsylvania gas properties in the Philadelphia Company holding company system, the recapitalization of an issuance of securities by Equitable, the dissolution of Finleyville, and the retirement of certain senior securities by Philadelphia Company and

The Commission having entered an order on June 30, 1948, granting the application and permitting the declaration to become effective, subject to certain terms and conditions including the following:

The proposed accounting entries on the books of Philadelphia Company with respect to the transfer of \$3,334,604 from depreciation reserve to surplus accounts are permitted, subject to the condition that surplus in the amount thus created shall not be available for any purpose except pursuant to the further order of this Commission,

and subject to a reservation of jurisdiction to require other and different treatment of accounting entries on the books of Philadelphia Company from that proposed by Philadelphia Company and

Philadelphia Company having, in compliance with the Commission's order of June 30, 1948, applied \$14,000,000 received from Equitable to the retirement of \$13,477,000 principal amount of its 4¼% Collateral Trust Sinking Fund Bonds and having now requested an order of this Commission permitting it to charge a portion of unamortized bond discount and expense in the amount of \$898,894.62 (relating to debt which had been refunded in 1941 by the aforementioned Bonds) to its account "Earned Surplus prior to January 1, 1940" which account includes a credit of \$2,341,299.21 representing a portion of the \$3,334,604 excess depreciation permitted to be credited to surplus subject to the aforementioned condition and reservation of jurisdiction; and

The Commission having considered said request and it appearing to the Commission that it is unnecessary that the proposed charge be approved or disapproved at this time and the Commission deeming it appropriate under the circumstances to present the proposed charge to be made pending further review.

It is ordered, That the proposed charge of \$898,894.62 be, and hereby is, permitted to be made, subject to the condition that jurisdiction be, and hereby is, reserved to require other and different treatment with respect thereto from that proposed.

It is further ordered, That the reservations of jurisdiction over accounting entries as provided in the Commission's order of June 30, 1948, herein, are hereby continued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-616; Filed, Jan. 26, 1949;
8:46 a. m.]

The Commission finding with respect to the proposed sale of First Mortgage Bonds and the cancellation of Union's outstanding bonds held by Cincinnati that the applicable requirements of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration with respect thereto be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act that the said joint application-declaration be and hereby is, granted and permitted to become effective forthwith with respect to the issue and sale of First Mortgage Bonds by Union and the cancellation of outstanding bonds of Union held by Cincinnati, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of bonds shall not be consummated until the results of competitive bidding shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of all legal fees and expenses to be incurred in connection with the transactions proposed in the joint application-declaration.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-615; Filed, Jan. 26, 1949;
8:46 a. m.]

[File No. 70-2030]

WEST PENN ELECTRIC CO. AND
MONONGAHELA POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 19th day of January A. D. 1949.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by the West Penn Electric Company ("West Penn Electric") a registered holding company, and Monongahela Power Company ("Monongahela"), a subsidiary of West Penn Electric.

Notice is further given that any interested person may, not later than February 2, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issues, if any, of law or fact proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after February 2, 1949, said joint application-declaration, as filed or as amend-

ed, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Monongahela proposes to issue and sell for cash to the general public, through underwriters pursuant to the competitive bidding requirements of Rule U-50, --% series First Mortgage Bonds due 1979 in the aggregate principal amount of \$6,000,000. Monongahela also proposes to issue and sell 67,000 shares of common stock, par value \$6.50 per share, to West Penn Electric and West Penn Electric proposes to acquire said shares for a total cash consideration of \$1,005,000 (\$15 per share) West Penn Electric at the present time owns 416,000²⁵/₁₀₀ shares of the 1,000,000 outstanding shares of common stock of Monongahela, the remaining 583,999²⁵/₁₀₀ shares being owned by West Penn Power Company, also a subsidiary of West Penn Electric.

It is stated in the filing that the net proceeds from the sale of these securities are to be used for the construction of property additions and improvements by Monongahela and its subsidiaries. It is represented that the acquisition of the new common stock of Monongahela by West Penn Electric is subject to the jurisdiction of the Public Service Commission of Maryland, the State in which the West Penn Electric is organized.

The instant filing represents that West Penn Electric will shortly make a filing with the Commission proposing the acquisition from Power of all of Power's present holdings of common stock of Monongahela, the acquisition price to be unaffected by the financing proposed herein.

Sections 6, 7, 9, 10 and 12 (f) of the act and Rules U-43 and U-50, promulgated thereunder, are designated in the joint application-declaration as being applicable to the transactions proposed therein.

By the Commission:

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-618; Filed, Jan. 26, 1949;
8:47 a. m.]

[File No. 70-2033]

SOUTHERN NATURAL GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 19th day of January A. D. 1949.

Notice is hereby given that Southern Natural Gas Company ("Southern"), a registered holding company has filed with this Commission an application pursuant to the Public Utility Holding Company Act of 1935 (the "act")

Notice is further given that any interested person may, not later than January 31, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 31, 1949 said application may be granted, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Southern desires to supplement its present source of supply of natural gas by gaining access to fields in Texas. In this connection, discussions have been held with certain industrialists for the construction, as a joint venture, of a pipe line from Texas which would serve Southern's system as well as other areas on the Atlantic Seaboard. Said industrialists and Southern are interested in the participation of Southern in this venture only on condition that Southern ceases to be a registered holding company and in this connection Southern states that it will, as soon as practicable, file a plan for disposition of its public utility subsidiary companies, and for a consequent order pursuant to section 5 (d) of the act declaring it to have ceased to be a registered holding company. A new corporation, Coastal Pipe Line Corporation ("Coastal"), has been organized for the ultimate purpose of constructing the projected pipe line.

The present filing relates to the proposal by Southern to acquire up to one-half (125,000 shares) of the initial authorized common capital of Coastal (250,000 shares at \$1 par value), in consideration of Southern's contributing up to \$125,000 for the initial exploration and investigation expenses. The interested industrialists will make an equivalent investment for these purposes.

The filing states that the present proposal is desirable whether or not this Commission ultimately approves the subsequent proposal by Southern to dispose of its utility subsidiaries in order that Southern may participate in the pipe line venture. In this regard Coastal has agreed, in consideration of the present advance, to make available to Southern 100,000,000 cubic feet of gas per day at reasonable prices from any pipe line constructed by it if Southern is unable to obtain an order of this Commission declaring it not to be a holding company under the act, and Southern will in that event offer the stock it will now receive to Coastal's other stockholders at the best price offered by outside interests.

The filing designates sections 9 and 10 of the act as being applicable to the proposed transaction and requests that the final order of the Commission, to be

issued herein, become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-617; Filed, Jan. 26, 1949;
8:47 a. m.]

[File No. 71-2]

MISSISSIPPI POWER & LIGHT CO.

ORDER APPROVING DISPOSITION OF ADJUSTMENTS RELATING TO GAS PLANT

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 19th day of January A. D. 1949.

Mississippi Power & Light Company ("Mississippi") a public utility company and a subsidiary of a registered holding company, having filed studies and amendments thereto, pursuant to Rule U-27 of the General rules and regulations promulgated under the Public Utility Holding Company Act of 1935, relative to the original cost and reclassification of its gas plant accounts as at December 31, 1936, including proposals for the disposition of adjustments relating to gas plant, which proposals are summarized as follows:

Mississippi filed its original cost and reclassification studies of its gas plant, on February 24, 1947, in accordance with Plant Instruction 2-D of the Uniform System of Accounts recommended by the National Association of Railroad and Utilities Commissioners for gas companies (which system of accounts has been made applicable by Rule U-27). Prior to the filing of such studies for its gas plant, Mississippi had disposed of a total of \$9,452,080.53 of inflationary items included in its gas and electric plant accounts in Account 107—Plant Adjustments—pursuant to orders of the Federal Power Commission, and had put into effect a plan for amortization of the excess of acquisition cost of its electric properties over the original cost thereof. Pursuant to an order of this Commission, dated August 21, 1944, Mississippi established a contingency reserve in the amount of \$120,000.00, by a charge to earned surplus, to be available for the disposition of capitalized intra-system profits contained in its gas plant accounts. In compliance with the order of this Commission, Mississippi also began accruals, on January 1, 1944, through charges to Account 537—Miscellaneous Amortization and concurrent credits to Account 252—Reserve for Amortization of Utility Plant Acquisition Adjustments, of an amount during each calendar year of not less than one-fifteenth of \$404,000.00 or \$26,933.33 in order to provide for the disposition of the then estimated amount of gas plant acquisition adjustments.

The staff of the Commission has made a field examination and has filed its report in connection therewith, copies of which report were submitted to the company. Mississippi has amended its studies so as to give effect to the recommendations contained in the staff's report

and now proposes to classify the amount of \$462,771.70 in Account 108.5—Gas Plant Acquisition Adjustments, instead of the \$404,000.00 previously estimated and an additional amount of \$47,465.36 in Account 107—Plant Adjustments (over and above the amounts previously reclassified to Account 107 and disposed of pursuant to orders of this Commission and the Federal Power Commission).

Mississippi proposes that the annual charges of \$26,933.33 to Account 537—Miscellaneous Amortization with concurrent credits to Account 252—Reserve for Amortization of Utility Plant Acquisition Adjustments be continued for a longer period than the fifteen years ordered by this Commission on August 21, 1944, such additional period to be that required to accumulate a total of \$462,771.70 in the reserve, rather than the amount of \$404,000.00 which was previously covered by the Commission's order.

Mississippi further proposes to dispose of the balance of \$47,465.36, pending disposition in Account 107, by a charge of \$10,270.14 to Account 271—Earned Surplus, and \$37,195.22 to Account 250—Reserve for Depreciation of Gas Plant.

It is proposed that the foregoing transactions be recorded on the books of Mississippi as of December 31, 1948.

Notice of filing said studies, and amendments thereto, having been duly given and the Commission not having received a request for hearing with respect to said matter within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the proposals for the disposition of the amounts established in Account 108.5 and Account 107, in the manner described above, are consistent with the requirements of Rule U-27 of the general rules and regulations promulgated under the act. *It is ordered, That:*

(A) Mississippi record on its books the proposed reclassification entries submitted with its studies, and amendments thereto, relative to the original cost and reclassification of its gas plant accounts.

(B) Mississippi dispose of the balance of \$47,465.36 established in Account 107 and create a reserve in Account 252 for amortization of the amount of \$462,771.70 established in Account 108.5, both in accordance with the proposals described above.

(C) Mississippi submit certified copies of the immediate entries required by paragraph (B) hereof within sixty days from the date of this order.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 49-619; Filed, Jan. 26, 1949;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 833, Pub. Laws 322, 671, 79th Cong., 60 Stat. 59, 925; 59 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11981.

AUGUSTE LOUIS MARIE ANTOINE ROUY NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Auguste Louis Marie Antoine Rouy, New York, New York, 23663; property described in Vesting Order No. 693 (8 P.R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,151,289.

Executed at Washington, D. C., on January 18, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-630; Filed, Jan. 26, 1949;
8:49 a. m.]

[Vesting Order 12644]

GERTRUDE H. REMEY

In re: Trust under will of Gertrude H. Remy, deceased. File No. D-28-8097-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Marie Schumann, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany).

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the trust created under the will of Gertrude H. Remy, deceased, presently administered by The First National Bank of Kansas City, 14 West 10th Street, Kansas City 10, Missouri, Trustee,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-625; Filed, Jan. 26, 1949;
8:49 a. m.]

[Vesting Order 12651]

EMMA C. WOODBURN ET AL.

In re: Emma C. Woodburn, and James Woodburn, her husband, vs. Fred H. Schwegler, et al. File D-28-7830; E. T. sec. 8576.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bertha Braun, Anna Eppensteiner, Louise (Luise) Eppensteiner, Gottlieb Schwegler, Alfred Schwegler, Gerhard Schwegler and Helga Schwegler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That Wilhelm (Karl) Schwegler, and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Wilhelm (Karl) Schwegler and of Alfred Schwegler, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "Emma C. Woodburn, and James Woodburn, her husband, vs. Fred H. Schwegler," in the District Court of Frontier County, Nebraska, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by Louis M. Hovey, Clerk of the District Court of Frontier County, Nebraska, Stockville, Nebraska, acting under the judicial supervision of the District Court of Frontier County, Nebraska;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof, and Wilhelm (Karl) Schwegler, and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Wilhelm (Karl) Schwegler and of Alfred Schweg-

ler, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-626; Filed, Jan. 26, 1949;
8:49 a. m.]

[Vesting Order 12685]

CLEMENTINE KAUFER

In re: Bonds and other property owned by Clementine Kaufer. F-28-2725-C-1, E-1, F-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Clementine Kaufer, whose last known address is Main Strasse 24, Woerth a/Main, Bavaria-Unterfranken, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: a. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of Clementine K. Schreiber, c/o Dion T. Rahill, 30 Admiral Road, Buffalo, New York, and held in a safe deposit box, numbered P 1319, of the "M & T" Safe Deposit Co., 284 Main Street, Buffalo 5, New York, together with any and all rights thereunder and thereto, and

b. That certain debt or other obligation owing to Clementine Kaufer, by Manufacturers and Traders Trust Company, 284 Main Street, Buffalo 5, New York, arising out of a Blocked Checking account, entitled Clementine Kaufer, maintained with the aforesaid company, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Clementine Kaufer, the aforesaid national of a designated enemy country (Germany), and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 13, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Description of Issue	Bond No.	Face value
New York Central Railroad Co. 5% Refunding and Improvement Mortgage Bond.	Series C, M 26050..	\$1,000
New York Central Railroad Co. 5% Refunding and Improvement Mortgage Bond.	Series C, M 26057..	1,000
Southern Railway Co. 4% Development and General Gold Bond.	Series A, 75507.....	1,000

[F. R. Doc. 49-627; Filed, Jan. 26, 1949;
8:49 a. m.]

FABRIQUES DE PRODUITS CHIMIQUES DE THANN ET DE MULHOUSE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32. (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property

Fabriques de Produits Chimiques de Thann et de Mulhouse, Thann (Haut-Rhin), France, A-241, property described in Vesting Order No. 293 (7 F. R. 9836, November 20, 1942), relating to an undivided one-half interest in United States Patent Application Serial No. 326,804 (now United States Letters Patent No. 2,345,170).

Executed at Washington, D. C., on January 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-629; Filed, Jan. 26, 1949;
8:49 a. m.]

ANNA LUISE BLUME KOHLSTOCK
NOTICE OF INTENTION TO RETURN VESTED
PROPERTY

Correction

In F. R. Doc. 49-600 appearing at page 359 in the issue for Wednesday, January 26, 1949, the name in the head should appear as set forth above. Also, under "Claimant" the comma should be deleted after the name "Blume."

[Return Order 246]

OLAF NORLI BOKHANDEL FORLAG

Having considered the claim set forth below and having issued a determina-

tion allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Olaf Norli, d/b/a Olaf Norli Bokshandel Forlag, Universitetsgt. 24, Oslo, Norway, Claim No. 36273, November 24, 1948 (13 F. R. 6948); property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4031 (9 F. R. 13780, November 17, 1944), relating to the

literary work "The People of Juvik" in six volumes: Volume 1, "The Trough of the Wave" Volume 2, "The Blind Man" Volume 3, "The Big Wedding" Volume 4, "Odin in Fairyland" Volume 5, "Odin Grows Up" Volume 6, "The Storm" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$43.92.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on January 17, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-623; Filed, Jan. 26, 1949;
8:49 a. m.]

